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Letter dated 15 April 2009 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General

I have the honour to convey to you the information on the gender policy of Turkmenistan (see annex).

I would appreciate it if you could kindly circulate the present letter and its annex as a document of the General Assembly, under agenda item 64.

(*Signed*) Aksoltan **Ataeva**
Permanent Representative

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Annex to the letter dated 15 April 2009 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General

[Original: Russian]

The gender policy of Turkmenistan

Turkmenistan is at a qualitatively new stage in its political, socio-economic and cultural development.

The Government of Turkmenistan is committed to fulfilling the international obligations it has assumed pursuant to United Nations human rights conventions.

The status of women in Turkmenistan is determined by the overall strategy and priority areas of State policy, which aims to realize the principle of equal rights and freedoms and establish equal opportunities for men and women in accordance with the Constitution of Turkmenistan, the norms of international law and the recommendations of the Fourth World Conference on Women (Beijing, 1995).

The gender policy carried out in the country since the early days of independence aims to develop institutional and legislative support measures guaranteeing equal participation by women in all spheres of public life, the opportunity to realize the constitutional principle of gender equality and the creation of identical opportunities for women and men.

Condemning discrimination against women in all its forms, Turkmenistan is consistently and unswervingly pursuing a policy of no tolerance for any gender-based distinction, exception or limitation. The national Constitution guarantees equal human and civil rights and freedoms regardless of ethnicity, race, gender, origin, material or employment status, place of residence, language, attitude towards religion, political conviction, or party affiliation or lack thereof (see article 19 of the Constitution of Turkmenistan). Turkmenistan's approach to guaranteeing genuine equal rights for women and enhancing their role in public and political life has a solid national and international legal foundation.

Unswervingly meeting its international obligations and acknowledging the norms of the Universal Declaration of Human Rights, Turkmenistan has adhered to the main international human rights instruments, including the declarations and conventions on women's rights: the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Political Rights of Women, the International Labour Organization Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, the International Labour Organization Convention concerning Discrimination in respect of Employment and Occupation, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime, and others. The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women is now at the ratification stage.

Implementation of the basic principles of Turkmenistan's human rights policy ensures the multifaceted development and progress of women and establishes State guarantees of women's enjoyment of human rights and freedoms in political, economic, social, cultural and other spheres on a basis of equality with men. The Constitution of Turkmenistan and all national legislation, including the Labour Code, the Marriage and Family Code, the Social Security Code and the Laws on State Guarantees of Women's Equal Rights, Citizens' Health and Safety, Education, Safety in the Workplace, Employment and Leave guarantee gender equality.

Women represent 50.2 per cent of the population of Turkmenistan. In the Mejlis (Parliament) of Turkmenistan, 17 per cent of the deputies are women, including the Speaker and chairpersons of two of the five parliamentary committees. The vice-premier is a woman, and women serve as ministers, diplomats, deputy heads of regional, municipal and district governments, editors-in-chief of media outlets, directors of higher education establishments and scientific institutions and heads of central and local electoral commissions. They are also represented in the representative and executive authorities of the State at all levels: 13.5 per cent of the elected members of local government bodies and 15.5 per cent of the members of the representative bodies of the halk maslahaty (council of elders) and velayats (regions) are women.

The Act on State Guarantees of Women's Equal Rights was adopted on 14 December 2007 in order to implement international legal norms on the equality of women and with the aim of giving effect to the main principles of national human rights policy eliminating all forms of discrimination against women and guaranteeing women's full development and progress. Pursuant to the Constitution and international law, the Act establishes State guarantees for women's enjoyment of human rights and freedoms in the political, economic, social, cultural and other spheres on a basis of equality with men.

Pursuant to article 27 of the Constitution of Turkmenistan, "Upon reaching the minimum age for marriage, women and men have the right to enter into marriage by mutual consent and to create a family. The spouses are equal in the family relationship." That equality is one of the primary principles of the family law of Turkmenistan. Thus, in accordance with the Marriage and Family Code, all citizens have equal rights in family relationships. No limits on rights, be they direct or indirect, or establishment of direct or indirect advantages upon entry into marriage and family relations on the basis of origin, social or material situation, race or ethnic affiliation, gender, education, language, attitude towards religion, type or nature of occupation, place of residence or other circumstances (article 4 of the Code) are permitted.

Citizens of Turkmenistan have the right to health care, including use at no cost of a network of State health-care establishments. A national programme entitled "Health" is being successfully implemented, and high-quality mother-and-child health-care centres with the most sophisticated equipment available have been set up in all velayats (regions). The adoption of the national rural development programme, for which the Government of Turkmenistan has allocated US$ 4 billion, aims to develop all forms of social infrastructure in rural areas, and includes the construction of new kindergartens, schools, hospitals, stadiums and cultural institutions.

Paid medical care and non-traditional medical treatment are permitted if supplied on the basis of, and in accordance with, the law. The national programme also aims to strengthen women's health and protect reproductive health. To improve the health of women of childbearing age and their children through the introduction of modern examination and care methods for pregnant women, women in childbirth, women who have recently given birth and newborns, the Ministry of Health and the medical sector in Turkmenistan have developed a national safe maternity programme, taking into account World Health Organization recommendations, for the period 2007-2011. Health centres, family doctors and nurses educate women about various contraceptive methods. Reproductive health centres in every velayat (region) of Turkmenistan are working actively in that area.

National health promotion campaigns, including a programme to prevent HIV/AIDS and sexually transmitted diseases, for the period 2005-2010, and a national safe maternity programme, for the period 2007-2011, are functioning successfully.

The right to education for every citizen is enshrined in the Constitution of Turkmenistan. General secondary education is compulsory, and everyone is entitled to receive it in State schools at no cost (article 38 of the Constitution of Turkmenistan).

The State provides access to vocational training for all, according to ability.

On the basis of and in accordance with the laws of Turkmenistan, State and non-governmental organizations as well as individuals have the right to engage in educational activity for pay.

The State sets educational standards, which are obligatory for all educational institutions.

Following innovations in education, relevant changes were made to the Education Act.

On 24 May 1996, Turkmenistan ratified the Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region (21 December 1979) and the Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Asia and the Pacific (16 December 1983).

Presidential decrees on improving the educational system in Turkmenistan (15 February 2007), on improving the functioning of education and instruction establishments (4 March 2007) and on increasing student grants and salaries for educators (30 March 2007), which resulted in higher salaries for employees in the education sector, in larger student grants, in reduced teaching workloads and in the opening of boarding schools for children of remote etraps (districts) of the velayats (regions) have promoted the fullest enjoyment of the constitutional right to education by the country's citizens, including women.

An extensive network of educational institutions has been set up to provide the necessary conditions for all citizens to receive primary, secondary and specialized education regardless of gender, ethnicity, material or other status. The network includes State-supported pre-schools, schools, vocational establishments, boarding schools for disabled children and higher education institutions. At present, the country has 1,711 secondary schools, attended by over 1 million children. There are

17 secondary-level vocational schools and 17 higher education institutions. Higher education is free of charge.

Secondary schools and higher education institutions are equipped with up-to-date multimedia and computer technology and use interactive teaching methods, permitting the young people of Turkmenistan to receive a world-class education.

The Act amending and supplementing the Social Security Code of Turkmenistan (6 March 2009) is one response to the issue of social support for maternity and childhood. The Act increases the size of the lump sum paid upon the birth of a child, extends from one and a half to three years the period over which childcare support is paid and disability payments have been increased. Starting on 1 July 2009, these types of allowance will be increased by an average of 27-28 per cent.

The Constitution and national laws guarantee to all citizens of Turkmenistan, without regard to gender, legal and court protection against the application of any form of discrimination to their rights. An effective system for considering appeals and complaints is in place, as is court protection guaranteed by law in the case of violation of rights on the basis of gender.

In accordance with the Constitution of Turkmenistan, court protection of honour and dignity and of the personal and political human and civil rights and freedoms provided for by the Constitution and the laws is guaranteed to citizens. Citizens are entitled to challenge in court the actions of State bodies, community organizations and officials committed in violation of the law, or involving overstepping of authority and infringement of the rights and freedoms of citizens.

Citizens have the right, without distinction based on gender, to make legal demands for compensation for material and moral injury caused by illegal actions by State bodies or other organizations, their employees or private individuals.

Court protection of personal, property and non-property rights, honour, dignity and business reputation is guaranteed to all citizens of the country without distinction as to gender by the Civil Code of Turkmenistan (articles 15 and 16). Criminal law is based on the principle of the equality of all citizens before the law.

In the context of the programmes which have been developed, a project of the United Nations Development Programme (UNDP) and the Turkmenistan Women's Union, Gender Mainstreaming in Policy Making in Turkmenistan, is being successfully carried out. The project has three main goals:

- to strengthen specific elements of the legal basis of gender equality;
- to strengthen accountability and implementation measures in connection with ratified conventions and decisions of United Nations conferences on gender issues;
- to strengthen the national gender analysis and gender mainstreaming mechanism.

In order to implement the Beijing Declaration and Platform of Action, a National Action Plan for 2005-2010 has been developed. It defines general strategy and priority areas for the gender policy of Turkmenistan. The national plan is designed to translate into action the principle of equal rights and freedoms and to create new opportunities for women and men in accordance with the Constitution of

Turkmenistan, international norms and the recommendations of the Fourth International Conference on Women, taking into account the actual socio-economic situation in Turkmenistan.

The National Action Plan provides for the establishment and expansion of a network of women's civic organizations and a broad range of support for their activity and gender mainstreaming. In order to implement it, a project to strengthen the role of women in the socio-economic development of Turkmenistan was carried out (1998-2001).

Results have been achieved in raising the gender awareness of employees of State bodies, local authorities and government, community organizations and the public as a whole by means of training programmes, workshops, conferences, dissemination of gender statistics, publication of newsletters and materials on women's rights and gender issues, including reports such as *The Women of Turkmenistan and Gender Statistics, Women's Rights in Turkmenistan* and *A Report on the Status of Women in Turkmenistan*, and pamphlets such as *Gender Stereotypes, Gender and Gender Equality, Gender and Sex* and *The Triple Role of Women*.

In all velayats (regions), workshops have been held with the representatives of local government and the public to address gender issues and to explain the Convention on the Elimination of All Forms of Discrimination against Women. A workshop entitled "Women and the Mass Media, a Gender Approach", has been held for members of the media, and one entitled "Research and Teaching on Gender Issues in Turkmenistan" has been conducted with educators from schools, higher education institution's and vocational schools.

With support from the United Nations Development Programme, the Women's Union of Turkmenistan has set up over 30 women's information and resource centres in the velayats (regions). The resource centres play an important role in raising women's political, legal, economic, environmental and reproductive awareness and in promoting greater activity on the part of women in all areas of public life.

Paper and electronic materials have been developed to support women's community organizations. The materials contain systematically arranged extracts from the provisions of current legislation on the protection of women's rights and freedoms which regulate labour, the family and non-discrimination against women and from the relevant United Nations conventions.

New programmes are needed to increase women's role in the process of market reform and their active participation in all spheres of activity, to provide legal and social guarantees to successfully combine motherhood with an increase in women's activity in industry and entrepreneurship and to increase their role in the process of radical transformation. In that connection, surveys have been conducted.

The Women's Union of Turkmenistan and UNDP have implemented a project entitled "Gender Mainstreaming in Policy Making in Turkmenistan". In connection with the project, a survey was conducted in 2006 and an analytical report prepared.

One priority area of the National Action Plan is women's participation in the economic sphere. Employment provides women with financial independence, strengthening their social and political position. Women's share in small entrepreneurship and medium-sized business is steadily increasing. At present,

women are broadly represented in the self-employed and informal sectors. As surveys have revealed that women are leaning towards developing businesses, programmes targeting women and involving training courses and special credit schemes are being conceived and carried out to develop entrepreneurial skills.

With support from UNDP, the Turkmenistan Women's Union has developed a programme to create self-employment opportunities for rural women. The main goal of UNDP is to develop the potential of the women in the etraps (districts) and create the conditions for women's self-employment by means of applied education courses and events which will help women to obtain knowledge to promote their economic independence.